

91st Legislative Session – 2016

Committee: House Agriculture and Natural Resources

Tuesday, February 23, 2016

P - Present
E - Excused
A - Absent

Roll Call

NV Brunner
P Craig
P Feickert
P Harrison
P Marty
P Otten (Herman)
P Peterson (Kent)
P Schaefer
P Schoenfish
P Schrempp
P Werner
P Klumb, Vice-Chair
P Qualm, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Rep. Qualm, Chair.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 18, 2016

Moved by: Schrempp
Second by: Craig
Action: Prevailed by voice vote.

HB 1228: accommodate legislation relating to a mandatory state of origin meat labeling program.

Presented by: Representative Hawks
Proponents: Senator Frerichs
Bill Kluck, President, South Dakota Stockgrowers Association

Silvia Christen, SD Stockgrowers' Association
Matt Sibley, South Dakota Farmers Union
Sabrina King, Dakota Rural Action
Dave Nieme, self
Opponents: Jodie Anderson, South Dakota Cattlemens Association
Shawn Lyons, South Dakota Retailers Association
Lucas Lentsch, Department of Agriculture
Lorin Pankratz, South Dakota Pork Producers Council
David Owen, SD Chamber of Commerce & Industry
Mike Held, South Dakota Farm Bureau

MOTION: AMEND HB 1228

1228ja

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 39-5-5 be repealed.

~~—39-5-5. Any person who knowingly sells or offers for sale any meat which is the product of any foreign country or imported from without the boundaries of the United States, or any meat product containing such imported meat, without indicating this fact by display of a conspicuous sign in his place of business and by labels or brands on each quarter, half or whole carcass of such meat, or on each can, case, or package containing any of the above-mentioned product, naming the country of its origin and the date of exportation is guilty of a Class 2 misdemeanor.~~

Section 2. That the code be amended by adding a NEW SECTION to read:

Terms used in this Act mean:

- (1) "Beef," any meat product produced from cattle, including veal;
- (2) "Ground beef," chopped fresh or frozen beef;
- (3) "Label," a legible display of written, printed, or graphic matter on the immediate container of an article and placed in a conspicuous location, as to render it likely to be read and understood by a customer under normal conditions of purchase;
- (4) "Slaughter," the killing of livestock for processing for human consumption.

Section 3. That the code be amended by adding a NEW SECTION to read:

All beef and ground beef sold for retail sale within South Dakota, except prepared foods for immediate sale or ready to eat, shall bear a label as to its country of origin. Any beef or ground beef verified as originating in the United States shall bear a label declaring it to be a product of the United States of America. Any beef or ground beef determined to be of imported or mixed origin shall bear a label declaring its country or countries of origin. If the origin of any beef or ground beef cannot be determined, the product shall be labeled as, unknown, or as, country of origin unknown.

Section 4. That the code be amended by adding a NEW SECTION to read:

All labels shall comply with federal regulation and not obscure other labeling information required by other federal regulations. All labels shall comply with the country abbreviations for use under customs and border protection rules, regulation, and policies. A symbol or flag alone may not be used to denote a country of origin.

Section 5. That the code be amended by adding a NEW SECTION to read:

Any person engaged in the business of retail vending of beef and ground beef who knowingly or purposely offers beef or ground beef for sale without ensuring the products are clearly labeled with a country of origin as provided in section 4 of this Act is guilty of a Class 2 misdemeanor."

Moved by: Schrempp
Second by: Otten (Herman)
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1228 AS AMENDED

Moved by: Schrempp
Second by: Craig
Action: Failed by roll call vote. (6-7-0-0)

Voting Yes: Brunner, Craig, Feickert, Marty, Otten (Herman), Schrempp

Voting No: Harrison, Peterson (Kent), Schaefer, Schoenfish, Werner, Klumb, Qualm

MOTION: DEFER HB 1228 TO THE 41ST LEGISLATIVE DAY

Moved by: Klumb
Second by: Peterson (Kent)
Action: Prevailed by roll call vote. (7-6-0-0)

Voting Yes: Harrison, Peterson (Kent), Schaefer, Schoenfish, Werner, Klumb, Qualm

Voting No: Brunner, Craig, Feickert, Marty, Otten (Herman), Schrempp

SB 23: extend the time allowed for conditional land exchanges.

Presented by: Ryan Brunner Commissioner of School & Public Lands

MOTION: DO PASS SB 23

Moved by: Werner
Second by: Peterson (Kent)
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Brunner, Craig, Feickert, Harrison, Marty, Otten (Herman), Peterson (Kent), Schaefer, Schoenfish, Schrempp, Werner, Klumb, Qualm

MOTION: PLACE SB 23 ON CONSENT CALENDAR

Moved by: Werner
Second by: Peterson (Kent)
Action: Failed by voice vote.

SB 58: revise certain restrictions for the use of night-vision equipment for hunting under certain conditions.

Presented by: Representative Werner
Proponents: Senator Frerichs
James O'Neil, self
Max Matthew, South Dakota Sheep Growers
Matt Sibley, South Dakota Farmers Union
Opponents: Mark Devires, self
Mike Pirault, self
Jeremiah Murphy, SD Stockgrowers' Association
Tony Leif, Department of Game, Fish and Parks

MOTION: AMEND SB 58

58jc

On page 1, line 12, of the Senate Agriculture and Natural Resources Committee engrossed bill, delete "four" and insert "two".

On page 1, line 14, overstrike everything after "only" .

On page 2, delete line 1, insert "~~a rimfire cartridge~~ in the taking".

On page 2, line 3, overstrike "and".

On page 2, line 4, after "(3)" insert:

"A landowner or occupant and no more than two guests accompanied by the landowner or occupant may use night vision equipment on the owner's or occupant's land, a firearm using a cartridge with a bullet diameter below .225 inches, in the taking of jackrabbits, coyotes, beaver during its hunting season, foxes, raccoons, opossums, badgers, skunks, or rodents; and

(4)".

Moved by: Qualm
Second by: Otten (Herman)
Action: Prevailed by voice vote.

MOTION: DO PASS SB 58 AS AMENDED

Moved by: Marty
Second by: Werner
Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Brunner, Craig, Feickert, Harrison, Marty, Otten (Herman), Schrempp, Werner, Klumb, Qualm

Voting No: Peterson (Kent), Schaefer, Schoenfish

MOTION: ADJOURN

Moved by: Peterson (Kent)
Second by: Craig
Action: Prevailed by voice vote.

Mary Kirk
Committee Secretary

Lee Qualm, Chair

